

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE DIGITEK®

PRODUCTS LIABILITY LITIGATION

MDL NO. 1968

THIS DOCUMENT RELATES TO ALL CASES

NOTICE OF VIDEO DEPOSITION

Please take notice that the Plaintiffs Steering Committee will take the video deposition of **Brian Nizio** before a court reporter or other official authorized by law to take depositions, on **Thursday, May 13, 2010, at 9:00 a.m.** to be conducted at the offices of **Harris Beach PLLC, 100 Wall St., New York, New York, 10005** at which time and place you are notified to appear and take such part of said deposition as may be proper.

This deposition will be recorded stenographically and on videotape, and will comply with any relevant orders in this MDL. This deposition is noticed in the above-captioned matter for any and all purposes permitted by the Federal Rules of Civil Procedure, and any other federal, state, or local rules that apply to this action and the deposition will be taken in accordance with these rules. The oral examination will continue from day to day until completed.

Dated: April 28, 2010

Respectfully submitted,

On Behalf of the Plaintiffs' Steering
Committee

s/Fred Thompson, III Esq. _____

Fred Thompson, III, Esq.

Motley Rice, LLC

28 Bridgeside Blvd.

Mt. Pleasant, SC 29464

Co- Lead Counsel

Carl N. Frankovitch, Esq.

Frankovitch, Anetakis, Colantonio & Simon

337 Penco Road

Weirton, WV 26062

Co- Lead Counsel

Harry F. Bell, Jr., Esq.

The Bell Law Firm PLLC

P. O. Box 1723

Charleston, WV 25326

Co-Lead and Liaison Counsel

CERTIFICATE OF SERVICE

I hereby certify that on April 28, 2010, the above notice was filed electronically
and served by email to counsel as listed below.

Rebecca A. Betts, Defendants' Liaison Counsel
Allen Guthrie & Thomas, PLLC
P.O. Box 3394
Charleston, WV 25333-3394

Harvey L. Kaplan, Esq.
Shook Hardy and Bacon LLP
2555 Grand Boulevard
Kansas City, Missouri 64108

Matthew P. Moriarty
Tucker, Ellis & West, LLP
1150 Huntington Building
925 Euclid Avenue
Cleveland, Ohio 44115-1414

Richard A. Dean, Esq.
Tucker Ellis and West LLP
1150 Huntington Building
925 Euclid Avenue
Cleveland, Ohio 44115

Madeleine McDonough, Esquire
Shook, Hardy, & Bacon LLP
2555 Grand Boulevard
Kansas City, Missouri 64108

s/Fred Thompson, III Esq.
Fred Thompson, III, Esq.
Motley Rice, LLC
28 Bridgeside Blvd.
Mt. Pleasant, SC 29464
Co- Lead Counsel
Plaintiffs' Steering Committee